

REMARKS

Applicants have carefully reviewed the contents of the Office Action mailed May 6, 2003. Reconsideration is respectfully requested in view of the foregoing amendments and the comments set forth below.

By this Amendment, independent claim 31 is amended to incorporate the subject matter of indicated-allowable claim 35, claim 35 is canceled and dependent claims 57-58 and 62 are amended. As stated in the October 29, 2002 Amendment, claim 35, as well as original claims 31-34 and 36 are generic and thus, amended claim 31, which incorporates the subject matter of indicated-allowable claim 35, is allowable over the prior art of record and it is respectfully submitted that rejoinder of claims 37-52 and 57-62 is appropriate. Accordingly, claims 31-34, and 36-62 are pending.

With respect to claims 57 and 58, they have been amended to more clearly reflect the claimed invention, as shown by elected Figure 25. That is, claims 57 and 58 recite that another constructive element is at least a second constructive element to be connected so that at least two or more constructive elements to be connected are inserted in the clamping sleeve. Elected Figure 25 clearly shows two constructive elements (2, 3) and this illustrates the connecting element, according to claims 57 and 58 where a first constructive element (said constructive element) and a second constructive element are to be connected via the connecting element. In other illustrated species, three constructive elements may be connected via the claimed connecting element as shown in Figures 16 and 32 of the instant application. Claim 62 is amended to clarify that a section of the constructive element to be connected that is engaged with the tensioning element is friction increased. The constructive element referred to in claim 62 is the constructive element recited in claim 31, lines 3-4.

Applicants thank the Examiner for the courtesies extended to their representative during the telephonic interview on July 8, 2003. During that interview, the objection to claim 31 was discussed. The Examiner suggested amending the recitation of the tensioning element applying a holding force so that it is clear that the force is intended to be applied to the constructive element. Claim 31 is amended to clearly state that the tensioning element is "adapted to apply a holding force on ... onto a constructive element that is to be connected, thus generating a frictional connection". Accordingly, it is believed that the objection to claim 31 has been overcome. The following remarks set forth Applicants' record of the substance of the interview.

As explained in the telephonic interview and in the March 12, 2003 Amendment, thermal forming of martensite is NOT the basis of the invention. Rather, the claimed connecting element comprises an elastically deformable tensioning element where an unloaded sleeve (see, for example, Figure 22) which is in the austenite state at room temperature has an external force applied thereto so that the relaxed, unloaded sleeve becomes a pre-tensioned state clamping sleeve (see, for example, Figure 23). As one can see, the height of the clamping sleeve 10', is expanded or increased, while the elongated

width of clamping sleeve $10'_r$ is decreased due to the external force and the structural state of the clamping sleeve is changed as stress-induced martensite is formed. With the expanded state, shown in Figure 23, a constructive element to be connected can be inserted within the pre-tensioned sleeve in such a manner that no change or only a little change of shape occurs. This is shown by Figure 24 where clamping sleeve $10'_{pr}$ is partially relaxed as the stress and force created by the external force is maintained and provides a frictionally connected connection of the elements to be connected. It is noted that the stress-induced martensite state is maintained in the partially relaxed state. Page 7, lines 16-26 of the instant specification state that the tensioning sleeve, in a relaxed state, is in the austenitic state and converts to the tension-induced, martensitic state during elastic tensioning or expanding (emphasis provided). Further, for a tension-induced tensioning element, no shrinking effects occur for the generation of the cohesive force.

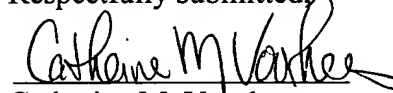
By the foregoing amendments to the disclosure, reference characters 10_r , 10_{pt} , 10_{pr} , $10'_r$, $10'_{pt}$, $10'_{pr}$, $10''_r$, $10''_{pt}$, and $10''_{pr}$ are discussed in the specification. In addition, the summary of the specification has been amended to recite the invention in exactly the same words as claim 31. Accordingly, it is believed that "a holding force in an elastically expanded state" is described in the specification and is clearly shown in originally-filed figures: the width of the clamping sleeve shown in Fig. 12 is expanded as shown in Fig. 13; the height of the clamping sleeve of Fig. 18 is expanded as shown in Fig. 19; the height of the clamping sleeve of Fig. 22 is expanded in Fig. 23; and the width of the clamping sleeve of Fig. 26 is expanded in Fig. 27. Accordingly it is respectfully submitted that claims 31-34, 36 and 53-56 are fully definite under 35 U.S.C. § 112, first paragraph and withdrawal of this rejection is respectfully requested.

Applicants acknowledge the indication, in the middle of page 8 of the May 6, 2003 Office Action, that claim 35 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As stated above, independent claim 31 has been amended to incorporate the allowable subject matter of claim 35, which depended from claim 31. Accordingly, it is believed that independent claim 31 should be allowable over the prior art of record. Since generic claim 31 is patentable over the art of record, it is respectfully submitted that rejoinder of claims 37-52 and 57-62 is appropriate. Accordingly, Applicants request the issuance of a Notice of Allowability rejoining all of the species invention and indicating that claims 31-34 and 36-62 are allowed over the prior art of record.

Should the Examiner believe that a conference would advance the prosecution of this application, the Examiner is requested to telephone the undersigned counsel to arrange such a conference.

Date: August 6, 2003

Respectfully submitted,



Catherine M. Voorhees
Registration No. 33,074

VENABLE

P.O. Box 34385

Washington, D.C. 20043-9998

Telephone: (202) 962-4800

Telefax: (202) 962-8300

Attachments

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